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EXAMINER

CHEN, TIANJIE

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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

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Attached Sheet

Aiyoshi clearly shows that the “first operation switching mechanism performs said first switching operation by an operation independent of said optical pickup under said driving force of said dual-purpose driving source mechanism” as explained in rejection.

Applicant argues that in Aiyoshi before starting the operation the pickup has to be moved to certain position; therefore, it is not “independent.” Examiner disagrees on this argument because the action before the operation should not be included for consideration. If the action before the operation has to be considered in judging the independence, Applicant’s device also has to have “the optical pickup 57 move to the innermost position” (Response, p. 9, lines 13) before starting the operation. Applicant's invention also cannot be considered as “independent,” if Applicant’s argument holds.